



# City Council Agenda

Council President  
**Ken Steitz**

Councilmembers

**Tom Boyajian**  
**Garry Bredefeld**  
**Chris Mathys**, Acting Council President

**Henry Perea**  
**Sal Quintero**  
**Daniel Ronquillo**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, APRIL 27, 1999**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

**8:30 A.M.**

**REGULAR MEETING OF THE REDEVELOPMENT AGENCY**

Approve Agency minutes of April 13 and 20, 1999

**Action Taken:**

**AGENCY GENERAL CONSENT CALENDAR**

- A. 1. **RESOLUTION** - Accepting preliminary plan with revised boundaries for the Airport Area Revitalization Redevelopment Project and authorizing filing with appropriate agencies (*Agency action*)  
**Action Taken:**
2. **RESOLUTION** - Authorizing the Redevelopment Agency to transmit the Draft Redevelopment Plan for the Airport Revitalization Redevelopment Project to the Planning Commission and other interested parties for review  
(*Agency action*)  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

8:30 A.M.

**AGENCY GENERAL CONSENT CALENDAR CONTINUED**

3. **RESOLUTION** - Authorizing the Executive Director to submit the “Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in the Airport Area Revitalization Redevelopment Project” to the Housing and Community Development Commission and other interested parties for review (*Agency action*)  
*Action Taken:*
- B. 1. **RESOLUTION** - Accepting preliminary plan with revised boundaries for the Southeast Fresno Revitalization Redevelopment Project and authorizing filing with appropriate agencies (*Agency action*)  
*Action Taken:*
2. **RESOLUTION** - Authorizing the Redevelopment Agency to transmit the Draft Redevelopment Plan for the Southeast Fresno Revitalization Redevelopment Project to the Planning Commission and other interested parties for review (*Agency action*)  
*Action Taken:*
3. **RESOLUTION** - Authorizing the Executive Director to submit the “Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in the Southeast Fresno Revitalization Redevelopment Project” to the Housing and Community Development Commission and other interested parties for review (*Agency action*)  
*Action Taken:*
- C. 1. **RESOLUTION** - Accepting preliminary plan with revised boundaries for the South Fresno Industrial Revitalization Redevelopment Project and authorizing filing with appropriate agencies (*Agency action*)  
*Action Taken:*
2. **RESOLUTION** - Authorizing the Redevelopment Agency to transmit the Draft Redevelopment Plan for the South Fresno Industrial Revitalization Redevelopment Project to the Planning Commission for review (*Agency action*)  
*Action Taken:*
3. **RESOLUTION** - Authorizing the Executive Director to submit the “Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in the South Fresno Industrial Revitalization Redevelopment Project” to the Housing and Community Development Commission (*Agency action*)  
*Action Taken:*
- D. **RESOLUTION** - Authorizing the Executive Director to accept and consent to deeds or grants of real property interests conveyance to the Redevelopment Agency (*Agency action*)  
*Action Taken:*

8:30 A.M.

**AGENCY GENERAL CONSENT CALENDAR CONTINUED**

***\*ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

- E. RESOLUTION** - Accepting Preliminary Plan with revised boundaries for the Central City Commercial Revitalization Redevelopment Project and authorizing submittal of the preliminary plan to appropriate agencies (*Agency action*)

**Action Taken:**

- F.** Approve the Indemnity Agreement, substantially in the form attached, by and between the Redevelopment Agency and Financial Title Company of Fresno County, as agent for First American Title Insurance Company relative to the Kearney Palms Shopping Center Development in the Southwest Fresno GNRA Redevelopment Project Area (*Agency action*)

**Action Taken:**

#### **AGENCY GENERAL ADMINISTRATION**

- G.** Report to and receive direction from the Agency Board relative to terminating the Disposition and Development Agreement with Providence Baptist Church, Inc., and preparing an alternate proposed Disposition and Development Agreement (*Agency action*)

**Action Taken:**

#### **ADJOURN AGENCY**

#### **9:30 A.M. Council Roll Call**

Invocation by Pastor Roy of the Second Chance Ministry

Pledge of Allegiance to the Flag

Proclamation of "NATIONAL CRIME VICTIMS' RIGHTS WEEK" - Mayor Patterson

Proclamation of "CLEAN AIR MONTH" - Mayor Patterson

Proclamation of "HIRE A VETERAN WEEK" - Mayor Patterson

Proclamation of "BILLY HIGGINS FRESNO STATE JAZZ FESTIVAL DAYS" - Mayor Patterson

Proclamation of "PARTNERSHIPS IN PRETREATMENT PROGRAM WEEK" - Mayor Patterson

Proclamation Declaring May 4, 1999 as "DAY OF PRAYER IN FRESNO" - Mayor Patterson and Council President Steitz

Resolution of Commendation to the Tower District Fish Company - Councilmember Boyajian

Presentation of Certificates of Recognition to Recipients of the Industrial Pretreatment Awards 1999 -

Ameripride/Valley Uniform, Foster Farms Poultry, Producers Dairy, Prudential Overall Supply - Councilmember Ronquillo

Proclamation of "VENANCIO GAONA DAY" - Councilmember Quintero

Recognition of Poster Contest Winners for Alcohol Prevention Month

Fairmont Private School Awards For Good Citizenship/Special Recognition - Acting President Mathys

Commendation to Lucinda Baucher For Being the Recipient of the Primary Teacher of the Year - Acting President Mathys

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING**

**THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve Council minutes of April 20, 1999

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS**

**9:30 A.M.**      **CONTINUED HEARING** to consider Planning Commission action which approved Variance Application No. V-99-05 for property located at 320 N. Fulton Street requesting a six-foot high fence within the front yard setback - Councilmember Ronquillo  
(Continue to 3:00 P.M.)

**Action Taken:**

**9:35 P.M.**      **CONTINUED HEARING** to consider Planning Commission action which approved Variance Application No. V-99-06 for property located at 310 N. Fulton Street requesting a six-foot high fence within the front yard setback - Councilmember Ronquillo  
(Continue to 3:05 P.M.)

**Action Taken:**

**9:45 A.M.**      Appearance by Andrew M. Brosnac to request Council stop the Marilyn Manson Concert scheduled for May 4, 1999 at Selland Arena

**Action Taken:**

- a.**      **RESOLUTION** - Condemning Marilyn Manson as an offensive threat to the children of the City of Fresno - Councilmember Perea

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**10:00 A.M. HEARING** to consider Plan Amendment No. A-98-26, Rezoning Application No. R-98-42, and environmental findings, filed by Rick Ransom and the City of Fresno, for approximately .4 acre of real property located at the south corner of Fresno and “O” Streets

**Action Taken:**

1. **BILL** - Amending the Fresno Civic Center Master Development Plan, the Fulton-Lowell Specific Plan, and the Central Area Community Plan (changing the Development Area Boundary and Zoning Plan (Map No. 1) from the “P” Parking Land Use District to “C-C” Civic Center Land Use District and changing the Area Development Plan (Map No. 2) from existing use to cultural uses)

**Action Taken:**

2. **BILL** - Amending the Official Zone Map from the P (Off-Street Parking District) to the C-C (Civic Center District) zone district

**Action Taken:**

**10:20 A.M.** Discuss fiscal and administrative impacts of bill amending the Fresno Municipal Code dealing with the establishment of residential water rates - Acting President Mathys

**Action Taken:**

- A. \* **BILL** - (*for introduction*) - Amending the Fresno Municipal Code relating to modifying the criteria to establish residential water rates

**Action Taken:**

**10:30 A.M.** Consideration of charter amendment which would qualify a March 2000, ballot measure allowing voluntary water metering for single family residences - Council President Steitz

**Action Taken:**

**11:00 A.M. HEARING** to consider Rezoning Application No. 99-012, filed by J. Rise Richter, for 1.45 acres, located at 7150 N. Milburn Avenue - (*Request to continue to 5/4/99 at 11:00 a.m.*)

**Action Taken:**

**11:30 A.M. CONTINUED HEARING** to consider Rezoning Application No. R-99-002, filed by James W. Logan on behalf of Land Dynamics, for approximately 21.5 acres of property located northwest of W. Barstow Avenue and Freeway

**Action Taken:**

1. **BILL** - Amending the Official Zone Map from the AE-5/UGM zone district to the R-2/UGM/cz zone district (*Original recommendation*)

**Action Taken:**

2. **BILL** - Amending the Official Zone Map from the AE-5/UGM zone district to the R-2/UGM/cz zone district (*Applicant's request*)

**Action Taken:**

**2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**2:00 P.M.#2 CLOSED SESSION**

**A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6**

**City Negotiator(s):** Jeffrey M. Reid, Jorge Aguiniga, Andrew T. Souza

**Employee Organization(s):** Local 39, FCEA, IBEW, FPOA, IAFF, ATU, FAPOFA, CFPEA,  
FPOA/MGT, IAFF/MGT

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**

**1. Case Name:** Civic Center Square, Inc. v. City of Fresno; Fresno Superior Court No. 612624-7

**2. Case Name:** City of Fresno v. Civic Center Square, Inc., et al.; Fresno Superior Court No. 612629-6

**3. Case Name:** City of Fresno v. Gordon Webster, et al.; Fresno Superior Court No. 612630-4

**4. Case Name:** City of Fresno v. Civic Center Square, Inc.; Fresno Superior Court No. 612631-2

**Action Taken:**

**3:00 P.M. CONTINUED HEARING** to consider Planning Commission action which approved Variance Application No. V-99-05 for property located at 320 N. Fulton Street requesting a six-foot high fence within the front yard setback - Councilmember Ronquillo

**Action Taken:**

- a. RESOLUTION** - Approving the request for an overheight fence within the front yard setback

**Action Taken:**

**3:05 P.M. CONTINUED HEARING** to consider Planning Commission action which approved Variance Application No. V-99-06 for property located at 310 N. Fulton Street requesting a six-foot high fence within the front yard setback - Councilmember Ronquillo

**Action Taken:**

- a. RESOLUTION** - Approving the request for an overheight fence within the front yard setback

**Action Taken:**

**3:10 P.M. Request for expressions of interest relating to AB 939 Implementation Strategy**

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

- 1. Approve appointment of Debbie Reyes to the Human Relations Commission - Councilmember Quintero (*for adoption*)**

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2. Award a contract for Convention Center Box Office computerized integrated ticketing office system  
**Action Taken:**
3. Approve agreement between City of Fresno and National Railroad Passenger Corporation (AMTRAK) for funding the construction of a house track in conjunction with the construction of the new Inter-City Rail Station  
**Action Taken:**
4. Approval of Administration Agreement with MBIA Munifinancial to provide required services in connection with City bonds and assessment districts  
**Action Taken:**
5. Approve amendment to agreement with Boyle Engineering Corporation for design of an Intelligent Transportation System to link and synchronize traffic signals in the Fresno/Clovis metropolitan area  
**Action Taken:**
6. \* **RESOLUTION - 13<sup>th</sup>** amendment to Salary Resolution No. 98-161 amending the salary range of the class of Chief of Wastewater Treatment Operations  
**Action Taken:**
7. Approve the Agreement between the City of Fresno and the Fresno City Employees Association Non-Supervisory White Collar Unit 3 (FCEA) regarding night shift premium pay  
**Action Taken:**

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. **BILL** corrected per Council directive and related to Rezoning Application No. R-99-003 heard and approved by the City Council on April 20, 1999
  1. **BILL - (for introduction and adoption)** - Amending the Official Zone Map to rezone from the C-P to the M-1/cz zone district  
**Action Taken:**

3. **GENERAL ADMINISTRATION CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

- B. Approve local preference for formal bids: purchase of materials, supplies and equipment
1. \* **BILL - (For introduction)** - Amending the Fresno Municipal Code relating to local preference in advertised competitive bidding (*Alternate 1*)  
**Action Taken:**
  2. \* **BILL - (For introduction)** - Amending the Fresno Municipal Code relating to local preference in advertised competitive bidding (*Alternate 2*)  
**Action Taken:**
- C. **BILL - (For introduction and adoption)** - Approve Zacky Farm Development Agreement  
**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request the City Manager or designee to prepare a proposal to implement the Mills Act - Councilmember Quintero  
**Action Taken:**
- B. **RESOLUTION** - Supporting AB 938, relating to developing a Downtown Economic Revitalization Action Program - Councilmember Ronquillo  
**Action Taken:**
- C. Report from Tree Fresno concerning the contract agreement to maintain the median islands in southeast Fresno that are not being maintained - Councilmember Quintero  
**Action Taken:**
- D. Convene a School Safety Summit consisting of local education leaders, law enforcement and City, County, State and Federal elected leadership, to discuss current school safety measures and to identify new strategies to increase school safety - Councilmember Perea  
**Action Taken:**
- E. Request report relating to on-going code enforcement violations that have not been resolved in District 5 - Councilmember Quintero  
**Action Taken:**
- F. Request City Manager to direct staff to provide list of all City-owned vacant land, or available City buildings within downtown Fresno for possible location of City of Fresno Peace Officer's Museum - Councilmember Ronquillo  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***



the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

- May 4 - 10:00 A.M.** Presentation of Employee Service Awards  
(*Reception immediately following, 2<sup>nd</sup> floor foyer*)
- May 4 - 10:30 A.M.** Report from City Attorney re: multipurpose stadium and Council direction
- May 4 - 11:00 A.M.** **CONTINUED HEARING** re: Rezone Appl. No. 99-012, filed by J. Rise Richter
- May 11 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the spring quarter  
(*Reception immediately following, 2<sup>nd</sup> floor foyer*)
- May 11 - 9:30 A.M.** **HEARING** re: Rezoning Application No. 99-11, filed by Mary Ellen Eldridge
- May 18 - 10:00 A.M.** **HEARING** re: Change and modification to Refunding District of 1994

### **(May 25 - MEETING TENTATIVELY SET TO BEGIN AT 1:00 P.M.)**

- May 25 - 2:00 P.M.** Report from staff on funding options/assets for financing downtown stadium - Council President Steitz and Acting President Mathys
- May 25 - 3:00 P.M.** Update of City of Fresno surface mining and reclamation ordinance (Text Amendment No. TA. 99-03)
- May 25 - 5:00 P.M.** **CONTINUED HEARING** on Text Amendment No. TA-97-09 relating to advertised structures (billboards)

### **June 1 - NO MEETING - MEMORIAL DAY HOLIDAY**

- June 15 - 11:00 A.M.** **HEARING** re: Lighting and Landscape Maintenance District No. 1
- June 22 -** Submittal of documents for downtown stadium
- June 29 -** Direct City Attorney to prepare ballot measure for City of Fresno to construct public model stadium - Acting President Mathys

### **July 6 - NO MEETING - COUNCIL VACATION**

### **July 13 - NO MEETING - COUNCIL VACATION**

- Oct.** Submitting a proposed charter amendment to City electors requiring voter approval of debt incurred for non-City projects - Acting President Mathys

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***